

REMARKS / ARGUMENTS

Initially, it is noted that this Amendment is in the newly approved Revised Format such that each section of this Amendment begins on a separate sheet. In addition, a complete listing of all claims currently pending in the present application is provided hereinabove.

With reference to the Office Acton mailed November 21, 2002, Applicants acknowledge the Examiner's decision to uphold the previously made restriction requirement. In the foregoing circumstances, for the time being, Claims 1-9 and 21-22 are withdrawn from consideration in the present application. Applicants hereby reserve their right to file one or more divisional applications directed to non-elected Claims 1-9 and 21-22.

With further reference to the Office Action, it is understood that the Examiner has rejected pending Claims 10-20, under 35 U.S.C. § 102(b), as being anticipated by Cope EP 0 807 510 A1. For the reasons which follow, and based upon the Declaration of Inventor John Robert Patterson attached hereto, Applicants respectfully traverse this rejection.

It is noted that independent Claims 10, 11, 13, 15, 16, 17 and 19 have been amended hereinabove for the purpose of clarifying that the weight percents recited therein are based upon the total weight of the powder blend. In addition, Claim 19 has also been amended to clarify that the blend includes PVC resin and from 24 to 65 weight percent of at least one cellulosic material, which corresponds to the composition of the powder blend of Claim 10.

With reference now to the Examiner's rejection of Claims 10-20 of the present application, it is respectfully submitted that the reference cited by the Examiner (i.e., Cope EP 0 807 510 A1) does not anticipate the present invention as claimed. The present invention relates, generally, to a process for preparing an extrudable powder blend. More particularly, as recited in independent Claim 10, the process of the present invention involves blending a mixture of from 30 to 65 weight percent of at least one chlorinated vinyl resin, from 0.25 to 5 weight percent of at least one thermal stabilizer; from 1.5 to 5 weight percent of at least one lubricant; from 3.5 to 15 weight percent of at least one high polymer processing aid; and from 24 to 65 weight percent of at least one cellulosic material containing moisture, based upon the total weight of the powder blend. The process of the present invention further involves raising the temperature of the mixture above 50°C during the aforesaid blending step and then removing water vapor.

Furthermore, as recited in independent Claim 13, another embodiment of the process of the present invention is for preparing an extrudable free-flowing powder blend and involves blending a mixture of from 40 to 55 weight percent of at least one PVC resin, from 0.5 to 1.5 weight percent of at least one thermal stabilizer, from 1.5 to 3 weight percent of at least one lubricant, from 5 to 10 weight percent of at least one high polymer processing aid, from 34 to 52 weight percent of at least one wood flour containing moisture, from 3 to 15 weight percent of at least one mineral filler, and up to 3 weight percent of at least one blowing agent, based upon the total weight of the powder blend. This embodiment of the process of the present invention further involves raising the temperature of the mixture above 80°C during the aforesaid blending step

and then removing water vapor so that the final moisture amount in of the powder blend is below 2.0 weight percent.

Lastly, it is noted that still another embodiment of the process of the present invention, as recited in amended independent Claim 19, is for preparing a foamed extrudate and involves feeding an extrudable free-flowing powder blend comprising at least one chlorinated vinyl resin, at least one blowing agent and from 24 to 65 weight percent of at least one cellulosic material, based upon the total weight of the powder blend, into an extruder. This embodiment of the process of the present invention further involves melting the powder blend to form a melt; extruding the melt from a die to form an expanding extrudate having at least one surface; and then hardening the surface of the expanding extrudate with a cooling fluid to increase the expansion ratio.

As noted in the specification of the present application (see page 1, lines 24-31), the present invention addresses a problem in the field of polyvinyl chloride ("PVC") compositions whereby it has not previously been possible to add cellulosic material, such as wood flour, to a PVC composition in an amount of more than about 20 weight percent, based on the total weight of the composition. This is because addition of more than about 20 weight percent wood flour negatively affects many of the processing and handling characteristics of the resin composite, including but not limited to powder flow, melt flow and melt strength. As discussed hereinabove, the present invention, as recited in amended independent Claims 10, 13 and 19, provides a process for preparing an extrudable powder blend having PVC resin and from 24 to 65 weight percent wood flour, based on the total weight of the powder blend.

With reference to Cope EP 0 807 510, it is respectfully noted that, although Cope teaches the preparation of an extrudable composite containing PVC, wood flour and various optional additives, the amount of wood flour in the PVC-containing composite is, at most, only about 17 weight percent of the total weight of the composition.

During the preparation of the present application, the inventors of the present invention considered the disclosure of U.S. Patent No. 5,847,016, which is the corresponding equivalent to Cope EP 0 807 510 cited by the Examiner. The foregoing statement that the composition disclosed in Cope includes no more than about 17 weight percent wood flour is stated at page 2, lines 10-12 of the present specification. In this regard, it is noted that the units stated in Cope to define the amounts of the various components of the composition of Cope are parts by volume, which cannot be directly compared to the units recited in the present application and claims, which are weight percent. Thus, in order to compare the disclosure of Cope with the powder blend prepared by the process of the present invention, it was necessary to convert units of parts by volume to weight percent. The inventors performed such conversion calculations, which are set forth and explained in greater detail in the Declaration of Inventor John Robert Patterson, which is attached hereto in support of this Amendment. As stated in the Declaration, the conversion calculations of the inventors show that the composition of Cope which includes PVC resin has, at most, about 17 weight percent wood flour, based upon the total weight of the composition. In the foregoing circumstances, Cope fails to address the problem which is addressed by the present

invention, which is to produce an extrudable powder blend having PVC resin and more than about 20 weight percent wood flour.

By comparison, the blend produced by the process of the present invention, as recited in independent Claims 10 and 19, includes PVC resin and from 24 to 65 weight percent wood flour, which is clearly greater than the 17 weight percent wood flour content achieved by Cope. Moreover, the blend produced by the process of the present invention, as recited in independent Claim 13, includes PVC resin and from 34 to 52 weight percent wood flour, which is also clearly greater than the 17 weight percent wood flour content achieved by Cope. Thus, it is respectfully submitted that Cope fails to disclose all of the features of the present invention, particularly, a higher wood flour content than previously achieved in the art.

In the foregoing circumstances, it is respectfully submitted that amended independent Claims 10, 13 and 19 are not anticipated by Cope and, therefore, that the claim rejections set forth in the Office Action have been overcome with respect to amended independent Claims 10, 13 and 19, as well as Claims 11-12, 14-18 and 20 which depend directly or indirectly therefrom. It is believed that all of pending Claims 10-20 are now in condition for allowance.

CONCLUSION

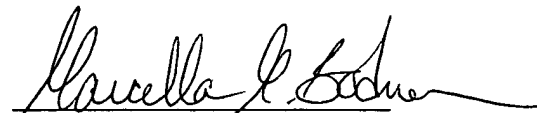
In view of the foregoing amendments and remarks, re-examination and allowance of amended Claims 10, 11, 13, 15, 16, 17 and 19, as well as Claims 12, 14, 18 and 20, are respectfully requested. If, however, there remain any open issues which the Examiner believes can be resolved by a telephone call, the Examiner is cordially invited to contact the undersigned attorney.

An extension fee of \$110 is believed to be due in connection with the submission of this Amendment. A Petition for Extension of Time accompanies this Amendment and provides for payment of the aforesaid fee. No additional fees are believed to be due, however, if any such fees, including petition or extension fees, are due, the Commissioner is hereby authorized to charge them, as well as to credit any overpayments, to Deposit Account No. 18-1850.

Lastly, please associate the present application with **Customer Number 21898**.

Respectfully submitted,

Date: **March 21, 2003**
 ROHM AND HAAS COMPANY
 100 Independence Mall West
 Philadelphia, PA 19106-2399


 Marcella M. Bodner
 Attorney for Applicants
 Registration No. 46,561
 Telephone: (215) 592-3025